

MESSAGE NO: 2344201 MESSAGE DATE: 12/10/2002

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-423-805, C-423-209

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 12/04/2002 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: SCOPE RULING ON DUMPING AND COUNTERVAILING DUTY ORDERS ON CTL CS  
PLATE FROM BELGIUM (A-423-805, C-423-209)

MESSAGE NO: 2344201

DATE: 12 10 2002

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 423 - 805

C - 423 - 209

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PERIOD COVERED: 12 04 2002 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: SCOPE RULING ON DUMPING AND COUNTERVAILING DUTY ORDERS  
ON CTL CS PLATE FROM BELGIUM (A-423-805, C-423-209)

1. ON FEBRUARY 4, 2000, AN INJUNCTION ENJOINING LIQUIDATION OF ALL ENTRIES OF CUT-TO LENGTH FLAT ROLLED CARBON STEEL FLOOR PLATE FROM BELGIUM IMPORTED BY DUFERCO STEEL, INC. ("DUFERCO") WAS ISSUED BY THE U.S. COURT OF INTERNATIONAL TRADE (CIT). SEE MESSAGE NO. 1157202, SENT JUNE 6, 2001, MESSAGE NO. 2008202, SENT JANUARY 8, 2002, MESSAGE NO. 2221203, SENT AUGUST 9, 2002, AND MESSAGE NO. 2291201, SENT OCTOBER 18, 2002. THE FEBRUARY 4, 2000 INJUNCTION TERMINATED UPON THE CIT'S ISSUANCE ON OCTOBER 17, 2002

OF A FINAL JUDGMENT (SLIP OP. 02-125) ORDERING THE COMMERCE DEPARTMENT TO INSTRUCT CUSTOMS TO IMPLEMENT THE EXCLUSION OF DUFERCO'S FLOOR PLATE "WITH PATTERNS IN RELIEF DERIVED DIRECTLY FROM THE ROLLING PROCESS" FROM THE SCOPE OF THE ANTIDUMPING AND COUNTERVAILING DUTY ORDERS ON CUT-TO-LENGTH CARBON STEEL PLATE FROM BELGIUM (A-423-805 AND C-423-209).

2. ACCORDINGLY, EFFECTIVE IMMEDIATELY, CUSTOMS SHOULD TERMINATE SUSPENSION OF LIQUIDATION FOR ALL ENTRIES OF CUT-TO-LENGTH FLAT ROLLED CARBON STEEL FLOOR PLATE FROM BELGIUM "WITH PATTERNS IN RELIEF DERIVED DIRECTLY FROM THE ROLLING PROCESS" IMPORTED BY DUFERCO.

3. LIQUIDATE ALL SUCH ENTRIES THAT REMAINED UNLIQUIDATED AS OF 5 O'CLOCK P.M., FEBRUARY 12, 2000, AND ALL SUCH ENTRIES AFTER THAT DATE, WITHOUT REGARD TO ANTIDUMPING OR COUNTERVAILING DUTY REQUIREMENTS.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO DUFERCO'S ENTRY OF SUCH MERCHANDISE, AS LISTED ABOVE.

5. THE ASSESSMENT OF ANTIDUMPING AND COUNTERVAILING DUTIES BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDER PAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING OR COUNTERVAILING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING OR COUNTERVAILING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING OR COUNTERVAILING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING OR COUNTERVAILING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. CONTINUE TO SUSPEND LIQUIDATION OF, AND COLLECT CASH DEPOSITS FOR, ALL OTHER ENTRIES OF CUT-TO-LENGTH FLAT ROLLED CARBON STEEL

PLATE FROM BELGIUM IMPORTED BY DUFERCO THAT DO NOT HAVE "PATTERNS IN RELIEF DERIVED DIRECTLY FROM THE ROLLING PROCESS," AND WHICH ARE OTHERWISE INCLUDED IN THE SCOPE OF THE ANTIDUMPING OR COUNTERVAILING DUTY ORDERS COVERING CUT-TO-LENGTH PLATE FROM BELGIUM (A-423-805 AND C-423-209).

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT SCOT FULLERTON OR MAUREEN FLANNERY AT (202) 482-1386 OR (202) 482-3020, AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party